## Exhibit "5"

11-22-10 E-mail from Charles Lichtman, Esq., Berger Singerman To Isaac M. Jaroslawicz, Esq.

"I apologize for having a very busy practice that prevents me from dropping what I'm doing to accommodate your frivolous waste of time and money on these useless depositions."

## Isaac M. Jaroslawicz, Esq.

From: Charles H. Lichtman [CLichtman@bergersingerman.com]

Sent: Monday, November 22, 2010 11:13 PM

To: Isaac M. Jaroslawicz, Esq. Cc: Levin, Neal H.

Subject: Re: Depsotions

I apologize for having a very busy practice that prevents me from dropping what I'm doing to accommodate your frivolous waste of time and money on these useless depositions. Nevertheless we will make ourselves available prior to the hearing.

On Nov 22, 2010, at 7:51 PM, "Isaac M. Jaroslawicz, Esq." < <a href="mailto:Isaac@MyLawyerIsaac.com">Isaac@MyLawyerIsaac.com</a>> wrote:

Is that AFTER the 12/2 date at 10 that we all agreed upon in the courtroom?

We could probably do Neal on the afternoon of the 3rd if he is still in town and available (probably also going slightly into evening).

Sent from my iPhone

Isaac M Jaroslawicz, Esq. 305-775-7868 Isaac@MyLawyerIsaac.com www.MyLawyerIsaac.com

On Nov 22, 2010, at 4:36 PM, "Charles H. Lichtman" < CLichtman@bergersingerman.com> wrote:

My next available date is the afternoon of Dec 3. After that, Monday Dec 13.



## Charles H Lichtman

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